

**UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF TENNESSEE  
NORTHEASTERN DIVISION**

<b>JOEAL AARON SUTTON,</b>	)	
	)	
<b>Plaintiff,</b>	)	
	)	
<b>v.</b>	)	<b>No. 2:23-cv-00064</b>
	)	
<b>PENNY MAC LOAN SERVICES, LLC,</b>	)	
<b>et al.,</b>	)	
	)	
<b>Defendants.</b>	)	

**ORDER**

Pending before the Court is the Magistrate Judge’s Report and Recommendation (“R&R”) (Doc. No. 74) resolving multiple motions filed by Plaintiff Joel Aaron Sutton, against Defendants PennyMac Loan Services, LLC (“PennyMac”), Mortgage Electronic Registration System, Inc. (“MERS”), Bank of England, and Rubin Lublin, LLC. No party has filed any objections to the R&R. Without any objections, review of the R&R is not required. Thomas v. Arn, 474 U.S. 140, 150 (1985). Nevertheless, the Court has reviewed the R&R and agrees with the Magistrate Judge.

Accordingly, the R&R (Doc. No. 74) is **APPROVED AND ADOPTED**, and the Court rules as follows:

1. Bank of England’s motion to join PennyMac and MERS’s motion to dismiss the fourth amended complaint (Doc. No. 41) and motion to join PennyMac and MERS’s motion to strike or dismiss the fifth amended complaint (Doc. No. 57) are **DENIED WITHOUT PREJUDICE**.

2. Rubin Lublin's notices of joinder in PennyMac and MERS's motion to dismiss the fourth amended complaint and motion to strike or dismiss the fifth amended complaint (Doc. Nos. 46, 56) are **DENIED AS MOOT**.

3. State Farm's response seeking to join PennyMac and MERS's motion to strike or dismiss the fifth amended complaint (Doc. No. 65) is **DENIED WITHOUT PREJUDICE**.

4. PennyMac and MERS's motion to strike or dismiss the fifth amended complaint (Doc. No. 54) is **GRANTED IN PART**.

5. Sutton's fifth amended complaint (Doc. No. 51) is **STRICKEN** from the docket.


6. Sutton's motion to join this case with Case No. 2:24-cv-0014 (Doc. No. 50) is **DENIED**.

7. Sutton's motion for summary judgment (Doc. No. 45) and corrected motion for summary judgment (Doc. No. 47) are **DENIED WITHOUT PREJUDICE**.

8. Sutton's motion for discovery (Doc. No. 70) is **DENIED WITHOUT PREJUDICE**.

9. PennyMac and MERS's motion to dismiss the fourth amended complaint (Doc. No. 33) is **GRANTED IN PART**, and Sutton's claims against them are **DISMISSED WITHOUT PREJUDICE** under Federal Rule of Civil Procedure 12(b)(5) for insufficient service of process.

IT IS SO ORDERED.

  
\_\_\_\_\_  
WAVERLY D. CRENSHAW, JR.  
UNITED STATES DISTRICT JUDGE